

REMARKS

The Office Action dated October 21, 2005, has been received and carefully noted. The period for response having been extended from January 21, 2006, until March 21, 2006, by the attached Petition for Extension of Time, the above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1, 3-14, and 16-26 are currently pending in the application, of which claims 1, 14, and 24 are independent claims. Claims 2 and 15 have been cancelled without prejudice of disclaimer. Claims 1, 3-5, 13-14, 16-18, 24, and 26 have been amended to more particularly point out and distinctly claim the invention. No new matter has been added. Claims 1, 3-14, and 16-26 are respectfully submitted for consideration.

Claims 1-26 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,829,473 of Raman et al. ("Raman"). As to claims 2 and 15, Applicants respectfully submit that the rejection is moot because claims 2 and 15 have been cancelled. As to claims 1, 3-14, and 16-26, Applicants respectfully submit that the claims recite subject matter that is neither disclosed nor suggested by Raman.

Claim 1, upon which claims 3-13 depend, is directed to a method for charging for services in an IP based communication system. The method includes establishing an accounting session between a network element and a charging function for the session and initiating a change in the accounting session at the charging function. The step of initiating a change in the accounting session includes transmitting a request to update the accounting session from the charging function to the network element.

Claim 14, upon which claims 16-23 depend, is directed to an element for monitoring charging in an IP based communication system. The element includes means for establishing an accounting session with an application, means for informing a network element controlling an associated communication session of the accounting session, and means for initiating a change in the accounting session. The means for initiating a change in the accounting session includes means for transmitting a request to update the accounting session.

Claim 24, upon which claims 25 and 26 depend, is directed to a communication system in which charging for the provision of services is implemented in a session. The system includes a network element for controlling the session, an application for the session, a control function for the session, and a charging function. At least one accounting session is established between the charging function and at least one of the network element, the application and the control function. The charging function is adapted to initiate a change in the at least one accounting session by transmitting a request to update the accounting session to the network element.

Applicant respectfully submits that Raman does not disclose or suggest all of the elements of claims 1, 14, or 24, or of the claims that respectively depend from them.

Raman generally relates to roaming and hand-off support for prepaid billing for wireless data networks. As explained at column 36, lines 18-25, Raman describes that a mobile node 78 can begin PPP negotiations with the PDSN 178 to establish a PPP session 182. The PDSN 178 sends a DIAMETER Auth-Request message to an HAAA 191. If

instead the Auth-Request message is sent to a BAAA 201, it – in turn – forwards the Auth-Request message to the HAAA 191.

It respectfully submitted that Raman does not disclose or suggest all of the features of the claims. For example, claim 1 recites, “wherein the step of initiating a change in the accounting session comprises transmitting a request to update the accounting session from the charging function to the network element.” Similarly, claim 14 recites, “wherein the means for initiating a change in the accounting session includes means for transmitting a request to update the accounting session.” Likewise, claim 24 recites, “by transmitting a request to update the accounting session to the network element.”

The Office Action suggests that column 38, lines 8-20 and 44-63 of Raman disclose these features. As explained at column 38, lines 44-63 of Raman, when a BAAA 201 (which, according to the Office Action, corresponds to the claimed charging function) receives a request for a block of credits from PDSN 185 (which, according to the Office Action, corresponds to the claimed network element), the BAAA 210 may be provided with or have measurement-method parameters that contain an algorithm that adjusts for difference between $C(h)$ and $C(v)$. Moreover, as explained at column 38, lines 8-20, the BAAA 201 and the PDSN 185 perform accounting procedures after establishing independent session activity if associated together. However, the Office Action identified the request to update the accounting session as the request described at column 36, lines 12-26. As explained above, in that portion a request is sent from the PDSN 185

(which, according to the Office Action, corresponds to the claimed network element) to the BAAA 201 (which, according to the Office Action, corresponds to the claimed charging function). However, as claim 1 makes clear, the request is sent “from the charging function to the network element.” Thus, the request identified by the Office Action cannot possibly correspond to the claimed request, because it is going the wrong direction. It is therefore respectfully submitted that Raman fails to disclose or suggest at least the above identified features of claims 1, 14, and 24. Thus, it is respectfully requested this rejection be withdrawn.

Claims 3-13, 26-23, and 25-26 depend from claims 1, 14, and 24 respectively, and recite additional limitations. It is therefore respectfully submitted that each of claims 3-13, 26-23, and 25-26 recites subject matter that is neither disclosed nor suggested in Raman.

For the reasons explained above, it is respectfully submitted that each of claims 1, 3-14, and 16-26 recites subject matter that is neither disclosed nor suggested in the cited reference, Raman. It is therefore respectfully requested that all of claims 1, 3-14, and 16-26 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in cursive script, reading "Peter Flanagan", written over a horizontal line.

Peter Flanagan
Registration No. 58,178

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

PCF:scw

Enclosures: Petition for Extension of Time (2 months)